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SENATE BILL 328

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Rod Adair

AN ACT

RELATING TO PUBLIC ASSISTANCE; EXCLUDING TREATMENT FOSTER CARE PROGRAMS FROM THE MEDICAID MANAGED CARE PROGRAM; AMENDING A SECTION OF THE PUBLIC ASSISTANCE ACT; MAKING AN APPROPRIATION; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 27-2-12.6 NMSA 1978 (being Laws 1994, Chapter 62, Section 22) is amended to read:

"27-2-12.6. MEDICAID PAYMENTS--MANAGED CARE. --

A. Except as provided in Subsection D of this section, the department shall provide for a statewide, managed care system to provide cost-efficient, preventive, primary and acute care for medicaid recipients by July 1, 1995.

B. The managed care system shall ensure:

(1) access to medically necessary services,

underscored material = new
[bracketed material] = delete

1 particularly for medicaid recipients with chronic health
2 problems;

3 (2) to the extent practicable, maintenance of
4 the rural primary care delivery infrastructure;

5 (3) that the department's approach is
6 consistent with national and state health care reform
7 principles; and

8 (4) to the maximum extent possible, that
9 medicaid-eligible individuals are not identified as such except
10 as necessary for billing purposes.

11 C. The department may exclude nursing homes,
12 intermediate care facilities for the mentally retarded,
13 medicaid in-home and community-based waiver services and
14 residential and community-based mental health services for
15 children with serious emotional disorders from the provisions
16 of this section.

17 D. The department shall exclude from the provisions
18 of this section treatment foster care for all children eligible
19 for medicaid and determined to be in need of such services,
20 which shall be provided on a fee-for-service basis."

21 Section 2. APPROPRIATION. -- Six million dollars
22 (\$6,000,000) is appropriated from the general fund to the human
23 services department for expenditure in fiscal years 2003 and
24 2004 to contract for treatment foster care services for
25 medicaid-eligible children to be provided in accordance with

. 143722. 1

underscored material = new
[bracketed material] = delete

1 standards established by the children, youth and families
2 department for treatment foster care as a child and adolescent
3 mental health service. Any unexpended or unencumbered balance
4 remaining at the end of fiscal year 2004 shall revert to the
5 general fund.

6 Section 3. EMERGENCY.--It is necessary for the public
7 peace, health and safety that this act take effect immediately.

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